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Atty. Dkt. No. SALK1590-3
(088802-2454)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heinemann et al.
Title: NEURONAL NICOTINIC
ACETYLCHOLINE RECEPTOR
COMPOSITIONS
Appl. No.: 09/580,462
Filing Date: 05/26/2000
Examiner: J. Ulm
Art Unit: 1646

CERTIFICATION UNDER 37 CFR § 1.8 I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on the date below, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 <i>Stephen E. Reiter, Reg. No. 31,192</i> (Printed Name) <i>SEP 2 2002</i> (Signature) <i>10/3/02</i> (Date of Deposit)
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AMENDMENT TRANSMITTAL

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [X] Forty Nine (49) sheets of formal drawings.
- [] Small Entity statement is enclosed.
- [X] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	12	27	0	x \$18.00	\$0.00
Independents:	4	14	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$0.00
CLAIMS FEE TOTAL:					\$0.00

In re application of
Heinemann et al.
Application No. 08/580,462
Page 2

Atty. Dkt. No. SALK1590-3
(088802-2454)

- [] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$110.00	\$0.00
[] Extension for response filed within the second month:	\$400.00	\$0.00
[] Extension for response filed within the third month:	\$920.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,440.00	\$0.00
[] Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
CLAIMS AND EXTENSION FEE TOTAL:		\$0.00
[] Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

- [] Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- [] A check in the amount of \$0.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10/3/02

By SEP E. NO

FOLEY & LARDNER
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192



PATENT
Attorney Docket No.: SALK1590-3
(088802-2454)

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE EXAMINING GROUP 1646**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HEINEMANN et al.
Title: NEURONAL NICOTINIC
ACETYLCHOLINE RECEPTOR
COMPOSITIONS
Appl. No.: 09/580,462
Filing Date: May 26, 2000
Examiner: J. Ulm
Art Unit: 1646

<p>CERTIFICATION UNDER 37 CFR § 1.8 I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on the date below, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231</p> <p><u>Stephen E. Reiter, Reg. No. 31,192</u> (Printed Name) <u>[Signature]</u> (Signature) <u>10/3/02</u> (Date of Deposit)</p>
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AMENDMENT

Box AF
Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated July 3, 2002 (Paper No. 9), please consider the following amendments and remarks.

IN THE CLAIMS

Please cancel claims 5-6, 8-9, 11-12 and 14-33, and add new claims 34-44 as follows. All claims, as they will stand upon entry of the amendments submitted herewith, are attached hereto as Appendix A.

34 (New). A substantially pure polynucleotide comprising DNA encoding a beta2 subunit of a neuronal acetylcholine receptor, wherein said DNA has greater than 64% sequence homology to the nucleotide sequence set forth in Figures 7B(1), 7B(2) and 7B(3), and

wherein said beta2 subunit has one or more functional properties selected from the group consisting of: